

DISTRICT OF MASSACHUSETTS  
FEDERAL BUREAU OF INVESTIGATION  
OFFICE

GREGORY DONNELLY  
PETITIONER,

v.

BERNARD BRADY, SUPERINTENDENT  
OLD COLONY CORRECTION CENTER  
RESPONDENT,

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AND EFFECTIVE DEATH PENALTY ACT OF 1996 ("AEDPA") SINCE PETITIONER RECEIVED FINAL RULING FROM THE MASSACHUSETTS SUPREME JUDICIAL COURT DOCKET NO.

FAR-14358 (APPEALS COURT DOCKET NO. 2003-P-186), ON OCTOBER 27, 2004 (SEE PETITION ADDENDUM), (EXHIBIT A-1)

2) THIS PETITIONER HAS VIGOROUSLY WITHOUT DELAY SOUGHT RELIEF THROUGH THE MASSACHUSETTS COURTS TO CORRECT THE COMMONWEALTH'S BREACH OF IT'S PLEA BARGAIN PROMISE ENTERED INTO WITH PETITIONER SINCE 1995. (SEE PETITION Pg. 1-18), (EXHIBIT A-2)

3) PETITIONER'S FILINGS TO SEEK RELIEF IN THE MASSACHUSETTS COURT WERE NOT REDUNDANT AS RESPONDENT CLAIM IN

THIER MOTION TO DISMISS SINCE THIS PETITIONER FOLLOWED ALL COURTS INSTRUCTIONS FROM TIME OF SAID PEA PROMISES IN FILING FOR JAIL CREDITS (SEE PEA AGREEMENT TRANSCRIPTS, EXHIBITS A B) TO INSTRUCTIONS FROM THE MASSACHUSETTS APPEALS IN SEEKING AND/OR DIRECTING THIS PETITIONER TO SEEK RELIEF BY WAY OF RULE 30 (SEE APP. CT. FOOTNOTE ON pg #5 IN PETITION ADDENDUM 41 MASS APP. CT. 1996) (EXHIBIT B-1)

4) THIS PETITIONER NEVER ATTACKED HIS CONVICTIONS OR HAS AT ANY TIME DENIED HIS GUILTY. THIS PETITIONER WAS AND IS ATTACKING THE BREACH IN HIS SENTENCE AFTER PROMISES MADE BY THE DISTRICT ATTORNEY TO ABSTRACT HIS GUILTY PLEA (SEE EXHIBITS A, B AND PETITION PAGES

3 THROUGH 18), (EXHIBIT A-2)

5) HAD THIS PETITIONER NOT USED UP  
AND EXHAUSTED ALL STATE REMEDIES  
THROUGHOUT THESE LENGTHY LITIGATIONS  
PETITIONER WOULD OF BEEN SUBJECT  
TO ATTACK.

WHEREFORE: THIS PETITIONER RESPECTFULLY  
ASK THIS HONORABLE COURT TO DENY RESPONDENT'S  
MOTION TO DISMISS PETITION AND GRANT  
DONNELLY'S PETITION FOR A WRIT OF HABEAS  
CORPUS.

RESPECTFULLY SUBMITTED

Gregory Donnelly  
GREGORY DONNELLY, PRO. SE,  
269 TREBLE COUNTER RD  
BICERICA, MA. 01862

DATE. MAY 12, 2005

CERTIFICATE OF SERVICE

I HEREBY CERTIFY THAT I HAVE  
SERVED BY FIRST CLASS MAIL A COPY OF  
THE ABOVE BY PLACING SAID IN THE INSTITUTIONAL  
MAIL BOX ADDRESSED

RANDALL RAVITZ,  
ASS. ATTORNEY GENERAL  
CRIMINAL BUREAU  
ONE ASHBURTON PLACE  
BOSTON, MA. 02108

DATE MAY 12, 2005

Gregory Donnelly  
GREGORY DONNELLY Pro. SE.